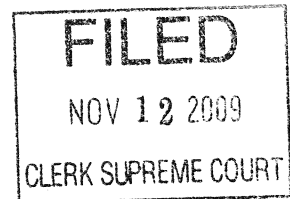


IN THE SUPREME COURT OF IOWA



IN THE MATTER OF ACTIONS)
TAKEN TO REDUCE JUDICIAL)
BRANCH OPERATING EXPENSES)

SUPERVISORY ORDER

1. Reduction in Operating Expenses and Measures Taken in Response

On October 7, the State Revenue Estimating Conference announced that state revenues are running 7.1% short of the previous estimate upon which the legislature relied to set the state's budget and to make appropriations for the current fiscal year, including the appropriation to the judicial branch. After consulting with leadership in the executive and legislative branches, the court understands that a substantial reduction in the current appropriation for the judicial branch will occur when the legislature convenes in January in light of anticipated budgetary shortfalls. As a result, the court will reduce the operating expenses of the judicial branch by 7.1%, or \$11,373,135, for the remainder of this fiscal year. A reduction of this magnitude requires a variety of cost-cutting measures, including substantial cuts in personnel. On November 10, 2009, the court ordered ten days of court closures and mandatory unpaid leave for all judicial branch employees, judges, and magistrates. Among other things, the judicial branch will also eliminate over 200 staff positions and reduce the hours of many employees. Additionally, the judicial branch will continue to hold open judicial vacancies to the extent permitted by law. These cuts are in addition to unpaid leave days and staff cuts imposed earlier this year. Given the significant workforce reduction, cuts in public service are unavoidable.

It is with this background in mind and pursuant to its constitutional and statutory authority to supervise and administer the courts of this state that the supreme court makes the following orders.

2. Clerk of Court Offices and Staff

As part of its overall expense reduction plan, the court has uniformly downsized staff in clerk of court offices throughout the state according to a uniform caseload formula. As a result, all clerk of court offices are staffed 12% below formula. While every county in the state will continue to have a clerk of court office, some clerk of court offices will operate on a part-time basis commensurate with their staffing levels. The following steps are necessary to manage these changes:

- a. On this day the court will enter an order adopting Iowa Court Rule 22.39 regarding staffing clerk of court offices.
- b. Pursuant to rule 22.39, the court hereby takes the following action with respect to the business and public hours of clerk of court offices throughout the state:
 - i. Unless otherwise noted in attachment "A," all clerk of district court offices shall continue to operate forty hours per week. However, to facilitate case processing, these offices shall be closed to the public each Tuesday and Thursday from 2:30 p.m. to 4:30 p.m.
 - ii. These new hours will take effect in the near future when this court issues a subsequent supervisory order.
- c. Also on this day the court will enter orders adopting Iowa Court Rule 22.40 and amending Iowa Rule of Civil Procedure 1.442(5) concerning the filing of pleadings and papers.

3. Temporary or Emergency Closure of Court Offices

The court hereby orders that the chief judge of a judicial district or the chief judge's designee may order the closure of any court office in the judicial district, including a clerk of court office, due to a natural disaster, an emergency condition that may threaten the safety or health of people in the office or the building in which the court office is located, an unanticipated staff absence, or other conditions that make the operation of the office unfeasible, unhealthy, or unsafe. In the case of a clerk of court office that has an unanticipated staff absence, the chief judge shall not close the office if it is reasonably possible to keep the office open by temporarily assigning a clerk or clerk of court staff from another office in the judicial district. If the chief judge closes a clerk of court office pursuant to this order, the chief judge may designate a clerk of court office in a nearby county in the judicial district to serve as the temporary clerk of court office for the county of the closed clerk of court office. The chief judge shall provide a copy of any order issued pursuant to this rule to the chief justice and shall issue a public notice of the order.

4. Pooling of Court Reporters

The court reporter workforce will also be reduced as part of the current reduction of personnel expenses. In light of this reduction, the court reiterates the necessity of pooling court reporting staff as previously ordered on June 25, 2009:

- a. Under the direction and supervision of a judicial district's chief judge, all

court reporter personnel shall continue to be pooled for purposes of work assignments and supervision. The chief judge or the chief judge's designee shall be responsible for supervising, scheduling, and assigning duties to all court reporters in the judicial district. Notwithstanding the authority of a chief judge or the chief judge's designee, a judge presiding over a proceeding that must be reported shall have the authority to supervise the work of a court reporter while the court reporter is actively engaged in reporting that proceeding.

- b. The chief judge may delegate his or her authority to supervise, schedule, or assign all court reporters to the district court administrator or to the district court administrator's designee. Court reporters shall not be assigned to report any proceeding other than those authorized by court rule, statute, or order of the supreme court.
- c. The authority of a district judge who appoints a court reporter pursuant to Iowa Code section 602.6603 does not supersede the authority of the chief judge or the chief judge's designee to supervise, schedule, and assign duties to the court reporter.

5. Continued Suspension of Court Rules

In previous budget-related supervisory orders, the court suspended Iowa Court Rules 22.6 and 22.8 concerning regularly scheduled court and trial sessions in the judicial districts, and the time standards for case processing found in Iowa Court Rules chapter 23.

- a. These rules shall continue to be suspended.
- b. However, although the judicial districts need not schedule judicial rotation to the full extent expressed in rules 22.6(1) and 22.8(1), the districts shall strive to rotate judges in accordance with the spirit of these rules.

Dated this 12th day of November, 2009.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha K. Ternus, Chief Justice

CLERK OF COURT PUBLIC OFFICE HOURS

Unless otherwise noted in this chart, all clerk of court offices will be staffed from 8:00 a.m. to 4:30 p.m., but closed to the public from 2:30 to 4:30 p.m. on Tuesdays and Thursdays.

COUNTY	PUBLIC OFFICE HOURS
Adair	Monday through Thursday 8:00 a.m. to 4:30 p.m. (closed from noon to 1:00 p.m.) and Friday 8:00 a.m. to noon
Adams	Mondays & Wednesdays 8:00 a.m. to 4:30 p.m. (closed from noon to 1:00 p.m.) & Thursdays 8:00 a.m. to 4:00 p.m. (closed from noon to 1:00 p.m.)
Audubon	Monday and Wednesday 8:00 a.m. to 4:30 p.m. (closed from noon to 1:00 p.m.); Tuesday, Thursday & Friday 8:00 a.m. to noon
Butler	Monday through Friday 9:00 a.m. to 12:00 and 1:00 p.m. to 3:30 p.m.
Calhoun	Monday through Friday 9:00 a.m. to 12:00 and 1:00 p.m. to 3:30 p.m.
Chickasaw	Tuesday, Wednesday, Thursday, & Friday 8:00 a.m. to 4:30 p.m. (closed Monday)
Davis	Monday, Wednesday, & Friday 9:00 a.m. to 3:30 p.m.; Tuesday and Thursday 9:00 a.m. to 2:30 p.m.; closed from noon to 12:30 p.m.
Decatur	Monday through Friday 8:00 a.m. to 4:30 p.m. (closed noon to 1 p.m.)
Greene	Monday through Friday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.
Hancock	Monday through Friday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.
Howard	Monday, Wednesday, & Thursday 8:00 a.m. to 4:30 p.m.; Friday 8:00 a.m. to noon
Humboldt	Monday, Tuesday & Thursday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.
Keokuk	Monday, Wednesday, & Friday 8:00 a.m. to 3:30 p.m.; Tuesday and Wednesday 8:00 a.m. to 2:30 p.m.; closed from noon to 12:30 p.m.
Lucas	Monday, Tuesday, Wednesday & Friday 8:00 a.m. to 4:00 p.m. (closed noon to 1:00 p.m.); and Thursday 8:00 a.m. to noon
Mitchell	Tuesday, Wednesday, & Friday 9:00 a.m. to 12:00 and 1:00 p.m. to 3:30 p.m.
Monroe	Monday, Wednesday, & Friday 8:00 a.m. to 3:30 p.m.; Tuesday and Thursday 8:00 a.m. to 2:30 p.m.; closed noon to 12:30 p.m. every day
Pocahontas	Monday, Tuesday, Thursday, & Friday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.
Ringgold	Monday, Thursday & Friday 9:00 a.m. to 4:00 p.m. (closed noon to 1:00 p.m.)
Taylor	Tuesday & Wednesday 8:00 a.m. to 4:30 p.m. (closed from noon to 1:00 p.m.); and Thursdays 8:00 a.m. to 1:00 p.m.
Van Buren	Monday, Wednesday & Friday 9:00 a.m. to 3:30 p.m.; Tuesday and Thursday 9:00 a.m. to 2:30 p.m.; closed noon to 12:30 p.m. every day
Wayne	Monday through Thursday 9:00 a.m. to 4:00 p.m. (closed from noon to 1:00 p.m.)
Winnebago	Monday through Friday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.
Worth	Monday through Friday 9:00 a.m. to noon and 1:00 p.m. to 3:30 p.m.